

**IAN F. BURNS & ASSOCIATES, P.C.**

*Intellectual Property Law*

Ian F. Burns<sup>††</sup>  
John D. Long<sup>††</sup>  
Thomas J. Howell, Ph.D.  
Harry A. Pacini<sup>\*</sup>



1575 Delucchi Lane  
Suite 222  
Reno, Nevada 89502

Phone: (775) 826-6160  
Fax: (775) 828-1651

<sup>\*</sup>Admitted in U.S. Patent and Trademark Office  
<sup>†</sup>Admitted in California, Hawaii & Nevada  
<sup>††</sup>Admitted in California, Illinois,  
Massachusetts, Nevada & Washington, D.C.

June 2, 2005

Mail Stop APPEAL BRIEF - PATENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

*In re application of: Brad W. Johnson and Vaughn Place*  
*Serial number: 09/397,910*  
*Filed: September 17, 1999*  
*Title: GAMING DEVICE VIDEO DISPLAY SYSTEM*  
*Attorney docket number: 720.510 PAL-UA-Video Display System*

Dear Sir:

The following is/are submitted to the Patent and Trademark Office for appropriate action:

1. 1. A Replacement Appellant's Brief in Triplicate (36 pages).
2. 2. A return receipt post card.

Cordially yours,

A handwritten signature of Ian F. Burns, consisting of a stylized 'B' followed by a long horizontal stroke.

Ian F. Burns  
Registration Number: 33,297

---

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))**

I hereby certify that, on the date shown below, this correspondence is being:

☒ **MAILING**  
Deposited with the United States Postal Service with  
sufficient postage as first class mail in an envelope  
addressed to the Commissioner for Patents, Alexandria,  
VA 22313-1450.

☐ **FACSIMILE**  
Transmitted by facsimile to the Patent and Trademark  
Office.

Fax No.: \_\_\_\_\_

A handwritten signature of Kim Kereel, appearing to be "Kim Kereel" in a cursive script.  
\_\_\_\_\_  
Signature  
Name  
Date 6/9/05



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellant: Brad Johnson and Vaughn Place  
Serial number: 09/397,910  
Filed: September 17, 1999  
Title: GAMING DEVICE VIDEO DISPLAY SYSTEM  
Attorney docket number: 720.510 PAL.UA-Video Display System

Group Number: 3713  
Examiner: Binh-An D. Nguyen

Assistant Commissioner for Patents  
Washington, D.C. 20231

**REQUEST FOR REINSTATEMENT OF APPEAL AND**  
**SUPPLEMENTAL APPEAL BRIEF UNDER 37 CFR §41.37**

This is a corrected Supplemental Appeal Brief filed in response to the "Notification of Non-Compliant Appeal Brief" mailed on May 16, 2005. The corrected Brief replaces the Supplemental Appeal Brief filed under 37 CFR §1.192 on February 17, 2005.

This is an Appeal from the Examiner's Rejection of claims 1-40. A Final Rejection was mailed on August 4, 2003. A Notice of Appeal was filed on December 30, 2003 and the first Appeal Brief was filed on March 1, 2004. An Office Action reopening prosecution was mailed on September 15, 2004 and a Request for Reinstatement of Appeal and Supplemental Appeal Brief was filed on February 17, 2005. In response to the Office Action (September 15, 2004)

---

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))**


---

I hereby certify that, on the date shown below, this correspondence is being:

☒ **MAILING**  
Deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 6/9/05

☐ **FACSIMILE**  
Transmitted by facsimile to the Patent and Trademark Office.

  
Signature  
Kim Racher  
Name

In re application of: Johnson et al.

Serial number: 09/397,910

Page 2

reopening prosecution in the present application, Applicants respectfully request reinstatement of the appeal.

The Supplemental Appeal Brief discusses the issues raised in the new ground(s) of rejection of the present Office Action that reopened prosecution and also discusses previously raised issues or arguments which are still considered to be relevant. The previously filed Appeal Brief is herein incorporated by reference in entirety.

Applicants do not believe that there are any additional fees due at this time as a result of filing the corrected Brief; however, please charge Applicants' Deposit Account No. 500913 for any additional fees that may be due.

**REAL PARTY IN INTEREST**

The real party in interest is Paltronics, Inc.

**RELATED APPEALS AND INTERFERENCES**

None

**STATUS OF THE CLAIMS**

Claims 1 through 40 have been submitted for examination.

Claims 1-40 are currently pending and have been rejected under 35 U.S.C. §103(a).

The rejection of claims 1-40 is hereby identified as being the subject of this appeal.

**STATUS OF AMENDMENTS**

No after final amendment has been submitted.

In the present Office Action, claims 38-40 were objected to due to a typographical error in claim 38 in the submitted appendix of claims accompanying the appeal brief. Applicants have corrected this typographical error in the appendix of claims and respectfully request withdrawal of the claim objection.

**SUMMARY OF CLAIMED SUBJECT MATTER**

In certain embodiments, Applicants' present invention comprises a video display system having a plurality of gaming devices and a plurality of video displays. *See*, Specification at pages 6-7. Each gaming device is adapted to allow a player to place a wager and play a game of chance. *See id.* The plurality of video displays may be placed in relatively close proximity to

each other for use in a multi-screen presentation. *See id.* Each video display may be configured to display at least a portion of the multi-screen presentation, and when viewed together; the plurality of video displays may create a single integrated video presentation. *See id.* For example, figure 3 of Applicants' application depicts an integrated image of a horse race formed by viewing three video displays, each of which displays a portion of the integrated image. Only by viewing all of the displays together can the integrated display be seen.

One of the advantages of the invention is the ability to utilize existing gaming devices and their video displays to present a single integrated video presentation. Thus, the need for a large stand-alone video display, which may be costly and occupy valuable casino space, may be eliminated.

Another advantage of Applicants' invention is the ability to enlarge a video presentation by displaying portions of the video presentation in multiple video displays of adjacent gaming devices. By utilizing a plurality of video displays, it is possible to present much larger and more interesting presentations. Consequently, more people may see the presentation and more people may be attracted to play the gaming devices.

#### **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

1. The Examiner has rejected claims 9-14 and 25-34 under **35 U.S.C. §103(a)** as being obvious over U.S. Patent No. 6,217,448 to Olsen (hereinafter, Olsen) in view of U.S. Patent No. 5,951,009 to Miyamoto (hereinafter, Miyamoto).

2. The Examiner has rejected claims 35-40 under **35 U.S.C. §103(a)** as being obvious over U.S. Patent No. 6,217,448 to Olsen (hereinafter, Olsen) in view of U.S. Patent No.

5,951,009 to Miyamoto (hereinafter, Miyamoto) and further in view of U.S. Patent No. 6,254,481 to Jaffe (hereinafter, Jaffe).

3. The Examiner has rejected claims 1-8 and 15-24 under **35 U.S.C. §103(a)** as being obvious over U.S. Patent No. 6,217,448 to Olsen (hereinafter, Olsen) in view of U.S. Patent No. 5,951,009 to Miyamoto (hereinafter, Miyamoto) and further in view of U.S. Patent No. 6,142,872 to Walker (hereinafter, Walker).

### **ARGUMENTS**

The claims of Group I (1-3, 5-18, 20, 24-26, 29-32, 34 and 38-40) are related to gaming systems using multiple video displays to display an integrated video presentation, with each video display showing a portion of the presentation.

The claims of Group II (4, 27 and 28) require a plurality of different video presentations.

The claim of Group III (19) requires a portion of the presentation to be displayed by a game display.

The claims of Groups IV (21), V (22) and VI (23, 35 and 36) specify elements of the video presentation, such as horses, game boards, and fisherman, respectively.

Group VII (claim 33) requires the presentation to display the amount of a bonus award.

Group VIII (claim 37) requires a plurality of displays be attached to a wagering device.

Because the claims in Groups I-VIII are directed to distinctly unrelated subject matter, the claims are separately patentable and do not stand or fall together. Therefore, arguments for the patentability of each group for each ground of rejection shall be presented separately.

**1. Grounds of Rejection of claims 9-14 and 25-34 under 35 U.S.C §103(a):**

Claims 9-14 and 25-34 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,217,448 to Olsen in view of U.S. Patent No. 5,951,009 to Miyamoto.

A rejection under §103(a) is proper when the claimed invention is taught or suggested by the references that are considered as a whole. The cited references must suggest the desirability and thus the obviousness of making the combination. The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention a reasonable expectation of success is the standard with which obviousness is determined. *Hodosh v. Block Drug Co., Inc.*, 786 F.2d 1136, 1143 n.5, 229 USPQ 182, 187 n.5 (Fed. Cir. 1986).

In this case, independent claims 9, 25 and 30 each contain multiple limitations that are not taught, disclosed or suggested by Olsen or Miyamoto, either alone or in combination.

**Olsen**

Olsen purports to suggest a bonus jackpot method utilizing a plurality of linked gaming machines. *See* column 3, line 65-column 4, line 1. In one embodiment, the jackpot game is suggested as a game of “hot potato.” *See* col. 6, lines 9-23. A central game controller purportedly determines which, if any, of the plurality of linked games will win the jackpot. *See* col. 5, line 18 – col. 6, line 8. It appears that winners will be shown a winning animation on their display terminal, while losers will be shown a losing graphic. *See* Fig. 1; column 6, lines 50-63. However, Olsen does not teach displaying an integrated presentation on a plurality of display devices. It appears that each game image is a separate and discrete image (see Figure 1, reproduced below). If someone were to step back and view all of the displays of Olsen, they would not see an integrated presentation. The observer would merely see a plurality of different independent, discrete, and separate images.

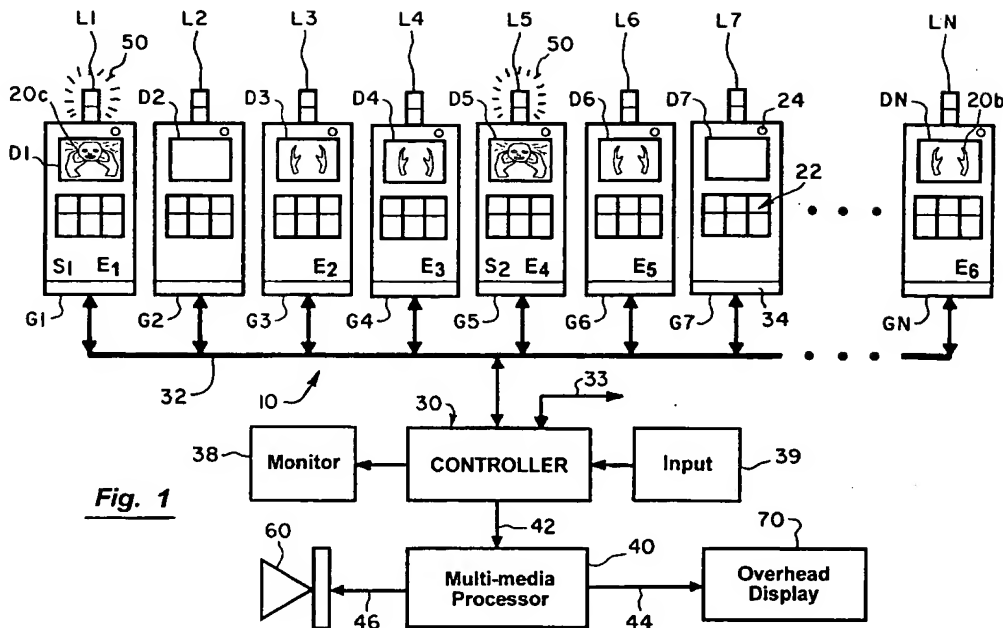


Figure 1 appears to illustrate the plurality of individual game machines (G1...GN), having a plurality of individual, discrete displays (D1...DN). The game machines appear to be linked via a communications network (32) to game controller (30).

Olsen does not show in figure 1, any suggestion, much less a teaching, of using a plurality of game displays to display segments of an integrated, unified presentation; the integrated presentation being apparent when viewing a plurality of displays. When an observer views a plurality of displays of Olsen, the observer would see no integrated presentation. For examples, no feature or image extends across two or more displays and no partial images of an object combine to make a whole image or larger image on two or more displays. The observer would see only a plurality of separate, independent displays.

With reference to Figure 1, each gaming device appears to have an illuminable tower lamp (L1...LN). It appears that the embodiment the Examiner is relying on involves the tower lamps, and not the displays, of the gaming device: "tower lamps L lock in and light on new



selected machines....” Column 9, lines 32-34. This “fanfare multimedia presentation” (column 9, lines 8-9) appears to be more explicitly described in column 8, lines 26-67 of Olsen. Olsen states that “Once the bonus mode time period begins, the tower lamps L will turn yellow over a predetermined number such as one-third of all gaming machines G, and begin rotating across gaming machines G.” However, as clearly taught in Figures 2(a) through 2(d), the hot potato suddenly appears in the hands of each selected display. Olsen does not suggest displaying partial images of the potato on a display as it moves from one display to another.<sup>1</sup> Furthermore, Olsen does not teach extending features of an object across multiple displays. Each game machine in Olsen displays only an independent separate image of a hot potato and hands. See Column 8, lines 48-54. It is clear that this embodiment does not meet the limitations of Applicants’ claims.

Furthermore, Olsen does not enable an integrated presentation on a plurality of displays. Integrated presentations can be difficult to display because there are many problems associated with coordinating a plurality of displays. These problems have been solved by the present invention. Olsen, on the other hand, does not disclose how it would address these problems. The specification of Olsen is simply devoid of any enabling disclosure of an integrated presentation.

### **Miyamoto**

Miyamoto purports to suggest a game apparatus that utilizes four Pachinko-like game machines placed adjacent to each other. See column 3, lines 35-41 and figures 1 and 2. A single projection TV display (7) is mounted behind clear plastic game components (12 and 13) so that the game player can view the display and the game at the same time. See col. 3, lines 60-65 and

---

<sup>1</sup> See Figures 4(a) and 4(c) of the present application for examples of partial images which may, but not necessarily, be used in an integrated presentation.

col. 5, lines 30-45 and figures 1 and 3a, 3b. A control circuit (50) purportedly controls the display of swimming fish on the display (7). *See* col.10, lines 44-58. It appears that the control circuit (50) determines the number of fish shown on the display behind each game. *See* col.11, lines 1-43. It appears that the game display is a single display that shows four separate and discrete images, one image for each game (see Figure 1, reproduced below).

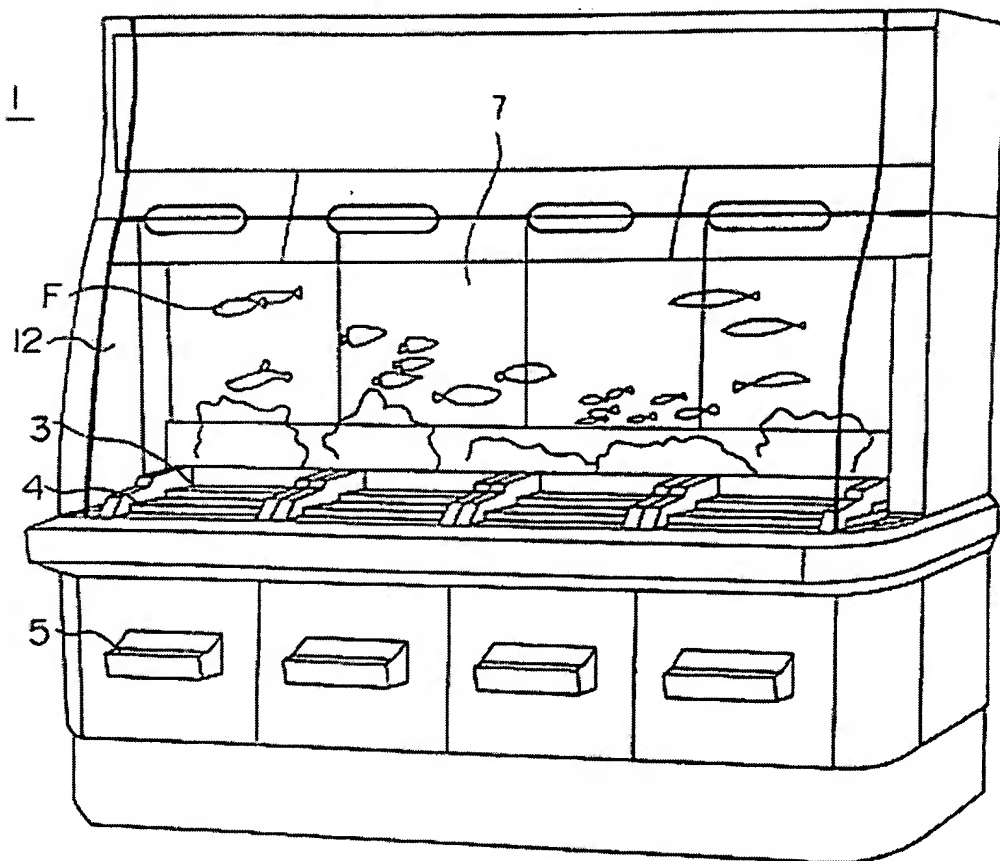


Figure 1 appears to show only a single display. The Office Action mailed September 15, 2004 stated that Miyamoto discloses a plurality of video displays. Applicants respectfully disagree with this conclusion and that Miyamoto renders Applicants' claims obvious. Miyamoto clearly discloses a single display.

**1A. ARGUMENTS REGARDING GROUP I (claims 9-14, 25, 26, 29-32 and 34):**

**Olsen Does Not Utilize a Multi-screen Presentation:**

Each of the independent claims is directed to gaming devices having a video display. Video displays are generally defined to include devices for displaying televised or similarly displayed images, such as images displayed on computer monitors. Webster's online dictionary defines "video" as "being, relating to, or involving images on a television screen or computer display." See <http://www.websters.com>. Applicants' use of the term "video display" is consistent with the accepted definition. For example, at page 7, lines 5-8 of Applicants' specification, Applicants state that:

Video displays 22-26 may be any of a variety of well known display devices, such as cathode ray tubes, liquid crystal displays, or plasma displays. These devices are used to display both integrated, multi-screen presentations, as will be discussed below, and independent, single screen presentations.

Olsen displays the same set of images on each machine. The embodiment of Olsen previously cited by the Examiner does not utilize a video display and does not teach all of the limitations of Applicants' claims. Olsen clearly states that it is the tower lamps of the gaming machine which allegedly create the appearance of the potatoes traveling from gaming device to gaming device. The tower lamps are not video displays. Tower lamps are incapable of displaying the types of presentations possible with video displays. Olsen does not teach, suggest or enable the use of video displays for the type of presentation claimed by Applicants.

Applicants also note that many claims, including claim 30, contain limitations directed to video controllers in conjunction with the video displays. Because Olsen does not teach video displays and integrated video presentations as claimed and taught by Applications, it *a fortiori*

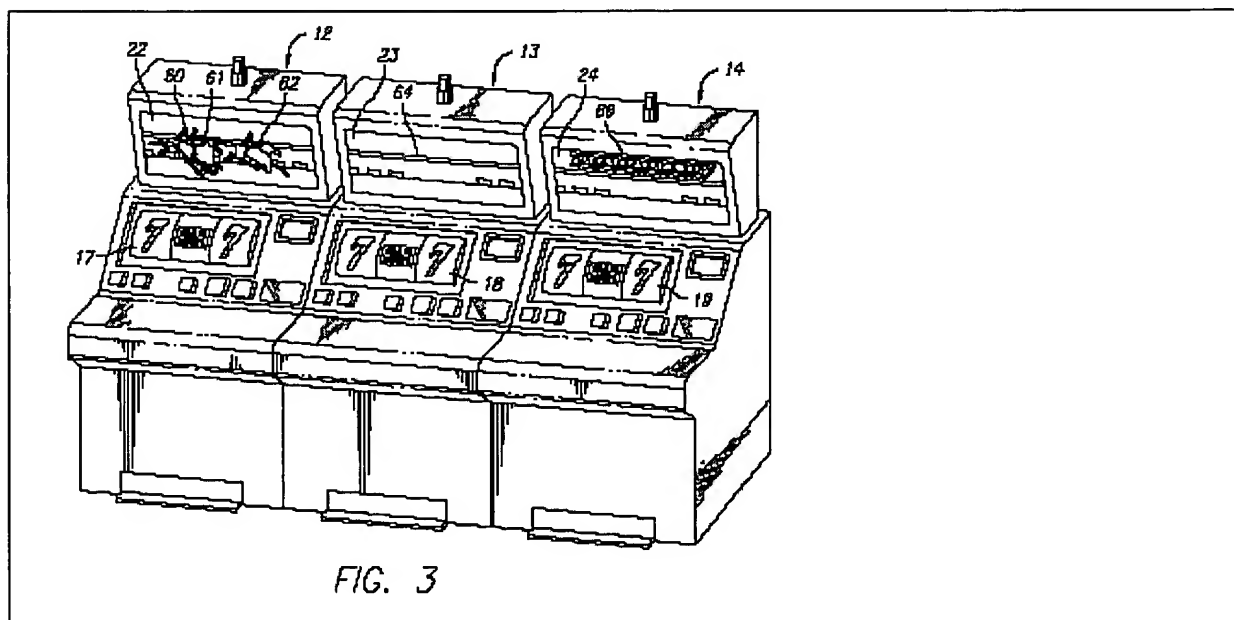
does not teach video controllers. Because Olsen does not teach, suggest or enable the use of video displays claimed by Applicants, the claims of Group I are patentable thereover.

Miyamoto Does Not Utilize A Plurality of Video Displays to Display an Integrated Video Presentation:

Applicants' claims are directed to creating an integrated presentation by showing a portion of a presentation on each of a plurality of video displays. The Examiner alleged that Miyamoto teaches an integrated video presentation to be displayed on a plurality of video displays. *See* Office Action mailed September 15, 2004 at page 3.

Webster's online dictionary defines "integrated" as: "1 : to form, coordinate, or blend into a functioning or unified whole : UNITE" and, "3 a : to unite with something else b : to incorporate into a larger unit." *See* www.websters.com. Applicants' use of the term "integrated" is consistent with the dictionary definition. For example, Applicants teach that:

The present invention is adapted to generate an integrated video presentation that utilizes a plurality of video displays in system 10. In the example depicted in figure 3 [reproduced below], a horse race is shown on video displays 22-24 of gaming devices 12-14.



As horses 60-62 race down the track, the horses move from video display to video display. Some features, such as fence 64, may continue across all of the screens while other features, such as grand stand 66, may be located entirely in one screen.

Specification, page 10, lines 1-6.

Later, Applicants teach that:

As seen in figure 4A [reproduced below], any integrated video presentation can be represented as a single movie or presentation. The presentation can be divided into a plurality of screen segments 70-72 that are displayed by the appropriate video display 22-24 (referring to figure 3). Thus, for any given time or frame of the presentation, video displays 22-24 display a segment of the overall presentation. VDCs 51-53 store the screen data and cause video displays 22-24 to display the appropriate segment at the appropriate time. When video displays 22-24 are viewed together, the presentation appears as a single integrated presentation.

Specification, page 12, lines 13-19.

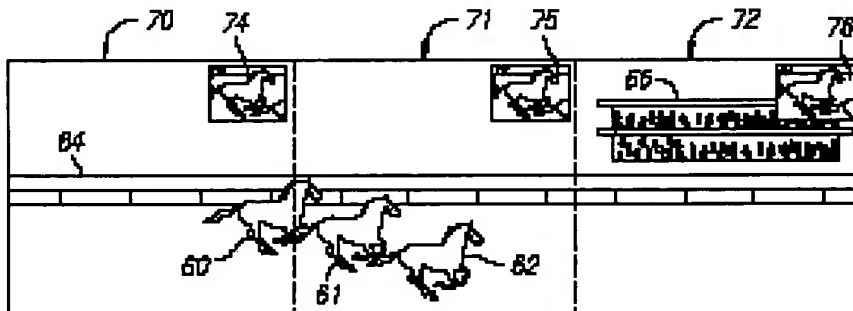


FIG. 4A

Miyamoto discloses the use of a **single** projection TV display (7) that is mounted behind clear plastic game components (12, 13) so that the game player can view the display and the game mounted in front of the display at the same time. The vertical lines seen in front of the video display probably represent falling face 10. See col. 3, lines 59-65 and figures 1 and 3a, 3b. As stated in the document, "In the rear of the falling face 10, a large Projection TV (PTV)

display 7 is provided.” (emphasis added). This is clearly a singular display. There is no suggestion, teaching or disclosure to provide a plurality of displays.

Even if Miyamoto provided for a plurality of displays, the image projected by Miyamoto is not an integrated video presentation. It appears that Miyamoto displays four separate and discrete images, one image for each game. According to column 11, lines 1-26 of Miyamoto, the number of fish in each display are adjusted to reflect the ratio of deposited medals to ejected medals for one particular display. There is no integrated presentation in Miyamoto that involves all of the games or displays an image that moves from one game to another.<sup>2</sup> Furthermore, Miyamoto is devoid of any teaching of the fish moving from one game to another. Because Miyamoto does not teach or suggest an integrated display, it does not render obvious the claims of Groups I.

Miyamoto Does Not Utilize A Plurality of Video Displays to Display an Integrated Video Presentation:

Miyamoto discloses the use of a single projection TV display (7). There is only one display in Miyamoto. Because Miyamoto does not teach more than one display, it does not render obvious the claims of Groups I.

There is No Motivation to Combine the References:

The examiner has not shown that some objective teaching or suggestion in the cited prior art, or knowledge generally available in the art would have led one of ordinary skill in the art to combine the references to arrive at the claimed invention, *See Pro-Mold & Tool Corp. v. Great*

---

<sup>2</sup> In figure 1, the same fish are probably seen on both sides of the vertical lines because figure 1 is a perspective view. Since the display (7) is behind the falling faces (10) (see figures 2 and 3) and the view point of the observer is at an angle, it appears that some fish are seen on both sides of the line. If the drawing were a plan view in which the observer is directly in front of the apparatus, none of the fish would be bisected by the vertical lines.

*Lakes Plastics Inc.*, 745 F.3d 1568, 1573, 37 USPQ2d 1626, (Fed. Cir. 1966). The only place that such a suggestion is found is in the Applicants' specification. It appears that hindsight reconstruction of the Applicants' invention has been used in making the present determination of obviousness, *See In re Fritch*, 972 F.2d 1260, 1266, 37 USPQ2d 1780, 1784 (Fed. Cir. 1992). It is impermissible to use the claimed invention as a template to piece together the teachings of the prior art so that the invention is rendered obvious. It is well settled that it is the teachings of the prior art taken as a whole, which must provide the motivation or suggestion to combine the references. Applicants submit that there is no motivation in Olsen to modify Olsen to include the use of close proximity video displays to display an integrated video presentation.

The References, if Combined, Teach Away from Applicants' Invention:

Assuming that the combination of Olsen and Miyamoto could be made, the combination still fails to disclose the Applicants' claimed invention. Miyamoto discloses the use of a single display (7). The combination of Olsen and Miyamoto would require the use of a single display mounted behind all of the game machines of Olsen. Clearly such a display would not be visible since the game machines of Olsen are not transparent and would result in a device that would fail to operate as a functional gaming device. The use of a single screen by Miyamoto teaches away from Applicants' invention. The use of single screen also results in a very large machine that is inflexible to adapt to casino floor space requirements. Accordingly, the claims of Group I are patentable over the combination of Olsen and Miyamoto.

**1B. ARGUMENTS REGARDING GROUP II (claims 27-28)**

The claims of Group II contain limitations directed to the availability and selection of multiple video presentations. Olsen does not teach multiple video presentations. Miyamoto does

not teach multiple video presentations. Olsen, at most, discloses one non-integrated, non-video presentation. Neither Olsen nor Miyamoto, teach or suggest the desirability of multiple video presentations and certainly does not enable the selection such presentations. Accordingly, the claims of Group II are patentable over the combination of Olsen and Miyamoto.

### **1C. ARGUMENTS REGARDING GROUP VII (claim 33)**

The claim of Group VII contains limitations directed to using an integrated, multi-screen, video presentation to display the amount of a bonus award. Olsen merely involves an individual game occurring at different times on several machines and therefore does not teach, suggest or enable using a multi-screen video presentation to display a bonus award. Miyamoto only discloses a primary game, not a bonus game. Miyamoto does not use a multi-screen video presentation to display a bonus award. Accordingly, the claim of Group VII is patentable over the combination of Olsen and Miyamoto.

## **2. Grounds of Rejection of claims 35-40 under 35 U.S.C. §103(a):**

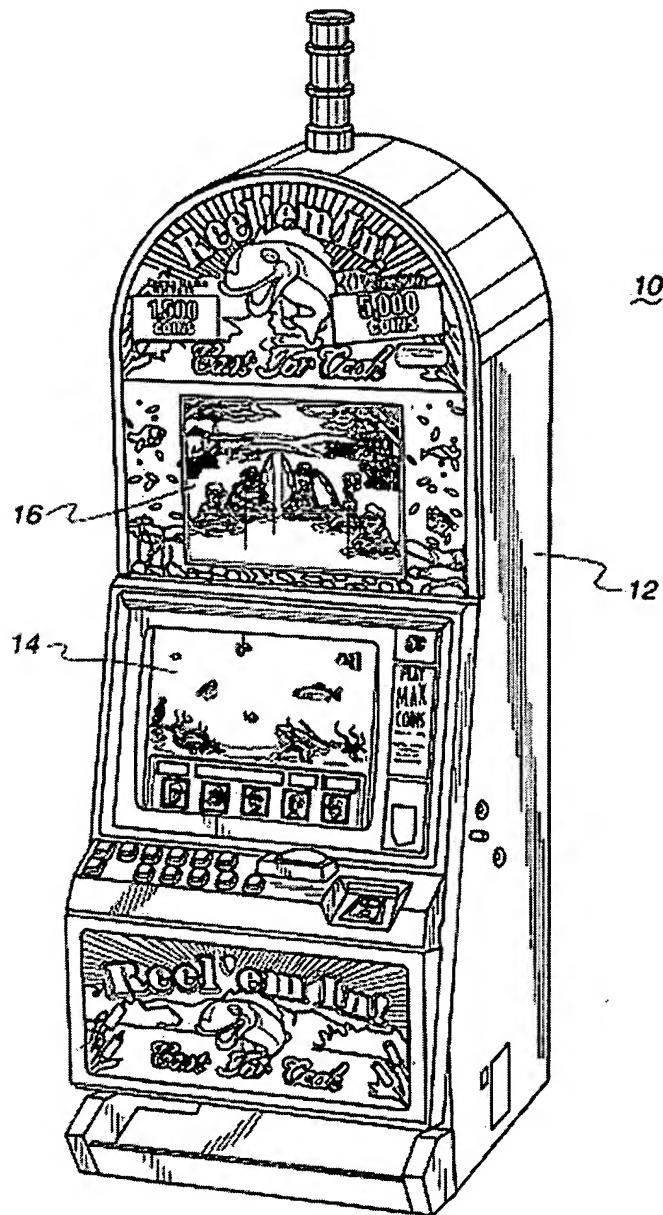
Claims 35-40 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent 6,217,448 to Olsen in view of U.S. Patent 5,951,009 to Miyamoto and further in view of U.S. Patent 6,254,481 to Jaffe.

### **Jaffe**

Jaffe purports to disclose a game apparatus that utilizes multiple video displays to show a fishing bonus game on a single game machine. *See* column 6, lines 51-64 and column 7, lines 1-19. Video displays 14 and 16 are mounted in a single cabinet 12. *See* figure 1 reproduced



below. The image shown in Jaffe is only visible to a single game player as the image only resides on a single gaming machine.



The Office Action mailed September 15, 2004 stated that Jaffe discloses a gaming device that has a first display with a person fishing and a second display with a fish. The fish displays the bonus award. Applicants respectfully disagree that Jaffe renders Applicants' claims obvious.

#### **2A. ARGUMENTS REGARDING GROUP I (claims 38-40)**

As previously extensively discussed under **Grounds of Rejection 1**, neither Olsen nor Miyamoto, either alone or in combination, teach, disclose or suggest Applicants' invention of claims 38-40. The addition of Jaffe to Olsen and Miyamoto does not alter this conclusion.

The claims of Group I contain limitations directed to video displays being adapted to display portions of a single video presentation and the single video presentation being displayed on the plurality of video displays. It is noted that the contents and priority date of the first provisional application predate Jaffe and prevent Jaffe from being applied to claims 38-40 of the present invention. The addition of fish in Applicants' later application has no bearing on the patentability of claims 38-40 since these claims do not contain any limitation regarding fish.

Accordingly, the claims of Group I are patentable over the combination of Olsen, Miyamoto and Jaffe.

#### **2B. ARGUMENTS REGARDING GROUP VI (claims 35 and 36)**

The claims of Group VI contain limitations regarding the subject matter of the integrated multi-screen video presentation. Group VI claims are directed to fishing related embodiments.

Since claims 35-36 depend from allowable independent claims (as previously discussed under **Grounds of Rejection 1**), they are allowable therewith. Accordingly, the claims of Group VI are patentable over the combination of Olsen, Miyamoto and Jaffe.

## **2C. ARGUMENTS REGARDING GROUP VIII (claim 37)**

The claim of Group VIII contains limitations directed to a plurality of displays being attached to a wagering device.

Since claim 37 depends from an allowable independent claim (as previously discussed under **Grounds of Rejection 1**), it is allowable therewith. Accordingly, the claim of Group VIII is patentable over the combination of Olsen, Miyamoto and Jaffe.

## **3. Grounds of Rejection of claims 1-8 and 15-24 under 35 U.S.C. §103(a):**

Claims 1-8 and 15-24 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,217,448 to Olsen in view of U.S. Patent No. 5,951,009 to Miyamoto and further in view of U.S. Patent No. 6,142,872 to Walker.

### **Walker**

Walker purports to disclose a method and apparatus for team play of slot machines. The device of Walker links multiple gaming machines into a network that uses the results of individual machines. *See* Figure 1. A slot server (200) controls and calculates individual game machine payouts and team payouts. *See* column 3, lines 64-67 and column 4, lines 1-5. Each individual machine in the network can display individual team member results and combined team results on a display 410. *See* column 9, lines 8-20 and Figure 4.

Display 410 of Walker is only operable to display results from other game machines and/or teams. Walker does not disclose a multi-screen presentation of a game. The gaming machines of Walker only use a single screen for game play.

The Office Action mailed September 15, 2004 stated that Olsen and Miyamoto do not explicitly teach a gaming device controller that initiates a multi-screen presentation of a game. Applicants agree with this conclusion.

The Office Action mailed September 15, 2004 further stated that Walker discloses a team game wherein a player machine initiates a team game to join other game machines. Applicants respectfully disagree that Walker renders Applicants' claims obvious.

**3A. ARGUMENTS REGARDING GROUP I (claims 1-3, 5-8, 15-18, 20 and 24):**

The claims of Group I are related to gaming systems using multiple video displays to display an integrated video presentation, with each video display showing a portion of the presentation.

As previously discussed under **Grounds of Rejection 1**, neither Olsen nor Miyamoto, either alone or in combination, teach, disclose or suggest using multiple video displays to display an integrated video presentation with each video display showing a portion of the presentation.

Therefore, claims 1-3, 5-8, 15-18, 20 and 24 are not obvious over the combination of Olsen and Miyamoto.

**Walker Does Not Utilize a Controller that initiates a Multi-Screen Presentation of a Game:**

Independent claims 1 and 15 recite that the video display controllers are adapted to perform a multi-screen presentation among the video display controllers. Each video display controller is adapted to operate the video display to present a portion of a multi-screen presentation.

Walker discloses a gaming device in which each individual machine in the network can display individual team member results and combined team results on a display 410. *See* column 9, lines 8-20 and Figure 4. There is no multi-screen presentation showing a portion of the presentation in Walker. The networked game machines of Walker merely show the results of other gaming machines on display 410. The device of Walker does not display a portion of a multi-screen presentation. The images shown in Walker are the same across all gaming machines. The game result image shown on display 410 in Figure 4 of Walker is shown on all of the gaming devices in the network.

Walker Does Not Select a Bonus Presentation that has Segments Displayed on a Video Display:

Independent claim 20 recites selecting a bonus presentation from among a plurality of bonus presentations. The bonus presentation has several segments with each segment being adapted to be displayed on a separate video display. Each segment of the presentation is displayed on a separate video display in synchronization, wherein the segments presented on the video displays appear to be an integrated presentation when viewed as a whole. There is no disclosure in Walker of operating a bonus game. There is no disclosure in Walker of presenting multiple video segments on several video displays such that the presentation appears to be integrated. The game result image shown on display 410 in Figure 4 of Walker is merely shown on all of the gaming devices in the network.

There is No Motivation to Combine the References:

The Examiner has failed to demonstrate an objective teaching or suggestion in the cited prior art, or knowledge generally available in the art would have led one of ordinary skill in the art to combine the references to arrive at the claimed invention, *See Pro-Mold & Tool Corp. v.*

*Great Lakes Plastics Inc.*, 745 F.3d 1568, 1573, 37 USPQ2d 1626, (Fed. Cir. 1966). The only place that such a suggestion is found is in the Applicants' specification. It appears that hindsight reconstruction of the Applicants' invention has been used in making the present determination of obviousness, *See In re Fritch*, 972 F.2d 1260, 1266, 37 USPQ2d 1780, 1784 (Fed. Cir. 1992). It is impermissible to use the claimed invention as a template to piece together the teachings of the prior art so that the invention is rendered obvious. It is well settled that it is the teachings of the prior art taken as a whole, which must provide the motivation or suggestion to combine the references. *See Uniroyal Inc. v. Rudkin –Wiley Corp.*, 837 F.2d 1044, 1051, 5 USPQ2d 1434, 1438 (Fed. Cir. 1998). Applicants submit that there is no motivation in either Olsen or Miyamoto to include the use of a controller that initiates a multi-screen presentation of a game.

The References, if Combined, Teach Away from Applicants' Invention:

Assuming that the combination of Olsen, Miyamoto and Walker could be made, the combination still fails to disclose the Applicants' claimed invention. The addition of Walker to Olsen would merely result in the addition of a display that shows the results of the other adjacent game machines in the game network. The addition of Walker to Miyamoto would merely result in the addition of a display that shows the results of the other adjacent game machines. Clearly, this combination does not render Applicants' invention obvious.

Accordingly, the claims of Group I are patentable over the combination of Olsen, Miyamoto and Walker.

**3B. ARGUMENTS REGARDING GROUP II (claim 4)**

Claim 4 of Group II contain limitations directed to the selection of a multi-screen video presentation from several different presentations. Olsen does not teach multiple video

presentations. Miyamoto does not teach multiple video presentations. Walker does not teach multiple video presentations. None of the cited references teach, disclose or suggest selecting a multi-screen video presentation from several presentations. Walker does not teach or suggest the desirability of selecting multiple video presentations and certainly does not enable such presentations. Accordingly, the claim of Group II is patentable over the combination of Olsen, Miyamoto and Walker.

### **3C. ARGUMENTS REGARDING GROUP III (claim 19)**

Claim 19 of Group III contains limitations directed to displaying a portion of a multi-screen presentation on a game display. Olsen does not utilize video screens to show a multi-screen presentation on a game display. Miyamoto does not disclose a multi-screen video presentation. Walker does not disclose a multi-screen video presentation. Accordingly, neither Olsen nor Miyamoto nor Walker teach, disclose, suggest or enable the display of a portion of a multi-screen presentation and the claim of Group III is patentable thereover.

### **3D. ARGUMENTS REGARDING GROUPS IV (claim 21), V (claim 22) and VI (claim 23)**

The claims of Groups IV-VI contain limitations regarding the subject matter of the integrated multi-screen video presentation. The claim of Group IV is directed to horse racing games; the claim of Group V is directed to embodiments using a game board; and the claim of Group VI is directed to fishing related embodiments. The only thematic element potentially suggested by Olsen is the game of "hot potato." Miyamoto discloses showing a number of fish in proportion to a ratio of medals; fishing is not disclosed. The only game disclosed in Walker is

a slot machine without a theme. Neither Olsen nor Miyamoto nor Walker teach, suggest or enable the use of the thematic elements claimed in Groups IV-VI, which claims are therefore patentable over the combination of Olsen, Miyamoto and Walker.


### **CONCLUSION**

The prior art of record fails to teach, disclose or suggest Applicants' claimed invention. Accordingly, appealed claims 1-40 should be allowed.

This Supplemental Appeal Brief is submitted herewith in triplicate along with an Appendix of the appealed claims. The fee for filing the Appeal Brief was paid with the filing of the original Appeal Brief and is applicable to the presently submitted Supplemental Appeal Brief.

If there are any questions regarding the application or this Supplemental Appeal Brief, the Board is encouraged to call the Applicants' attorney, Ian F. Burns at (775) 826-6160.

Respectfully submitted,



Ian F. Burns  
Attorney for Applicants  
Registration Number: 33,297

Thursday, June 02, 2005



## **APPENDIX OF CLAIMS ON APPEAL**

1. (original) A gaming device video display system for displaying multi-screen presentations, the system comprising:
  - (A) a plurality of gaming devices, each gaming device being adapted to allow a player to play a wagering game, each gaming device being further adapted to select a multi-screen presentation and transmit a request for a multi-screen presentation;
  - (B) a plurality of video displays, each video display being adapted to display a video presentation, the video displays being positioned in close relative proximity to allow a video presentation to be displayed using the plurality of video displays, a portion of the video presentation being displayed on each of the video displays, wherein the video presentation appears to be an integrated, multi-screen presentation; and
  - (C) a plurality of video display controllers, each video display controller being in communication with a gaming device, a video display, and other video display controllers, each video display being adapted to receive requests for multi-screen presentations from the gaming device with which it is in communication, the plurality of video display controllers being adapted to coordinate multi-screen presentations among the video display controllers, each video display controller being adapted to operate the video display with which it is in communication to present a portion of a multi-screen presentation.

2. (original) The gaming device video display system of claim 1, wherein one of the plurality of video display controllers is a master video display controller, the master video display controller being adapted to receive requests for multi-screen video presentations, determine the availability of video displays, and grant multi-screen privileges.
3. (original) The gaming device video display system of claim 1 wherein each gaming device comprises a game device controller, the game device controller being adapted to monitor the gaming device and transmit a request to a video display controller for a multi-screen presentation.
4. (original) The gaming device video display system of claim 3 wherein the game device controller is adapted to select a multi-screen video presentation from a plurality of different presentations.
5. (original) The gaming device video display system of claim 3 wherein the game device controller is adapted to select a bonus award and a multi-screen video presentation based on the output of a random number generator.
6. (original) The gaming device video display system of claim 1 wherein each video display controller comprises memory, the memory being adapted to store video presentation data.

7. (original) The gaming device video display system of claim 6 wherein each video display controller is adapted to store video presentation data for one segment of a multi-screen presentation.
8. (original) The gaming device video display system of claim 1 wherein at least one of the gaming devices comprises a game display, the game display being adapted to display information, wherein the gaming device is adapted to display a presentation using both its video display and its game display.

9. (previously presented) A method of displaying a video presentation for use with wagering devices, the method comprising:
  - (A) providing at least one wagering device, the wagering device being adapted to operate a wagering game;
  - (B) providing a plurality of video displays, at least one of the video displays being in communication with the wagering device, the video displays being adapted to display a video presentation;
  - (C) providing a video presentation, the video presentation relevant to the wagering game;
  - (D) dividing the video presentation into a plurality of screen segments; and
  - (E) displaying a different screen segment of the video presentation on each video display, wherein the segments of the video presentation, when viewed as a whole on the plurality of video displays, appear as an integrated video presentation.
10. (original) The method of claim 9 wherein step (D) is performed after a predetermined event has occurred.
11. (original) The method of claim 10 wherein the predetermined event is a bonus event.
12. (original) The method of claim 9 further comprising the step of providing a video display controller, the video display controller being adapted to drive at least one video display.
13. (original) The method of claim 9 further comprising the step of storing video presentation

data on the video display controller.

14. (original) The method of claim 9 further comprising the step of synchronizing the display of screen segments.

15. (previously presented) A gaming device, comprising:
  - (A) a plurality of video displays, each video display being adapted to display a video presentation;
  - (B) at least one video display controller in communication with at least one of the video displays, the video display controller being adapted to drive the at least one video display and being adapted to communicate with at least one other video display controller;
  - (C) a game controller, the game controller being adapted to operate a wagering game;
  - (D) a game device controller in communication with the video display controller and the game controller; the gaming device controller being adapted to initiate a multi-screen presentation, wherein when the multi-screen presentation is initiated, a portion of a video presentation is displayed on each of the video displays, and wherein the video presentation appears to be an integrated, multi-screen presentation.
16. (original) The gaming device of claim 15 wherein the game device controller is further adapted to select a video presentation.
17. (original) The gaming device of claim 15 wherein the game device controller initiates a multi-screen presentation upon detecting a bonus event.
18. (original) The gaming device of claim 15 further comprising a game display, the game display being adapted to display information relevant to a wagering game.

19. (original) The gaming device of claim 18 wherein the game display is further adapted to play a portion of a multi-screen presentation.

20. (original) A method of presenting a bonus display for a wagering game on at least two video displays, the method comprising:
  - (A) detecting the occurrence of a bonus event;
  - (B) selecting a bonus presentation from among a plurality of bonus presentations, the bonus presentation comprising a plurality of segments, each segment being adapted to be displayed on a separate video display;
  - (C) displaying each segment of the presentation on a separate video display in synchronization, wherein the segments presented on the video displays appear to be an integrated presentation when viewed as a whole.
21. (original) The method of claim 20 wherein the video presentation comprises a horse race, wherein horses in the horse race appear to race across the video screens.
22. (original) The method of claim 20 wherein the video presentation comprises a game board.
23. (original) The method of claim 20 wherein the video presentation comprises a fisherman.
24. (original) The method of claim 20 further comprising the step of coordinating among the plurality of video displays.



25. (previously presented) A system for displaying multi-screen presentations in association with a wagering game, the system comprising:
- (A) means for operating a wagering game;
  - (B) means for coordinating a display of a multi-screen video presentation;
  - (C) video display means for displaying a video presentation;
  - (D) means for displaying the multi-screen video presentation on the video display means, wherein the multi-screen video presentation appears to be a single integrated presentation.
26. (original) The system of claim 25 wherein the means for operating a wagering game comprises a game controller.
27. (original) The system of claim 25 further comprising means for selecting a multi-screen presentation from among a plurality of multi-screen presentations.
28. (original) The system of claim 27 wherein the means for selecting multi-screen presentation comprises a game device controller.
29. (original) The system of claim 25 wherein the means for coordinating a display of a multi-screen presentation comprises a video device controller.

30. (original) A gaming system, comprising:
- (A) at least one wagering device, the wagering device being adapted to allow a player to play a game;
  - (B) a plurality of video displays;
  - (A) at least one controller in communication with the wagering device and the plurality of video displays, the controller comprising a memory device for storing at least a portion of a video presentation, the controller being at least adapted to cause portions of a video presentation to be displayed on the plurality of video displays, wherein the video presentation displayed on the plurality of video displays appear integrated.
31. (original) The gaming system of claim 30, wherein the controller is further adapted to detect a bonus event from the wagering device, the controller is further adapted to cause the plurality of video displays to display portions of a single video presentation upon the detection of the bonus event.
32. (original) The gaming system of claim 30, wherein the controller is further adapted to coordinate presentation of the video presentation among the plurality of video displays.
33. (original) The gaming system of claim 30, wherein at least one portion of the video presentation displays the amount of a bonus award.

34. (previously presented) The gaming system of claim 30, wherein the controller is adapted to generate a random number, the random number being adapted to determine the bonus award.
35. (original) The gaming system of claim 30, wherein at least one portion of the video presentation displayed on a first display displays at least one person engaged in a fishing activity, and wherein another portion of the video presentation displayed on a second display displays at least one fish.
36. (original) The gaming system of claim 35, wherein the fish determines a bonus award.
37. (original) The gaming system of claim 30, wherein the plurality of video displays is attached to the wagering device.

38. (original) A gaming device adapted to allow a player to play a game, the gaming device comprising: a plurality of video displays configured to be positioned in front of a player, the plurality of video displays being adapted to display portions of a single video presentation, the single video presentation being displayed on the plurality of video displays appearing integrated, and the gaming device further comprising a controller in communication with the plurality of video displays, the controller being adapted to generate a random game outcome.

39. (original) A method of operating a game of chance on a wagering device, the method comprising:
- (A) detecting game play signal initiating a game play on the wagering device;
  - (B) providing a plurality of video displays in communication with the wagering device; and
  - (C) displaying portions of a single video presentation on the plurality of video displays, wherein the video presentation displayed on the plurality of video displays appear integrated.
40. (original) The method of claim 39, further comprising detecting a bonus event, and performing step C upon the detection of the bonus event.